

### **REMARKS/ARGUMENTS**

Applicants thank the Examiner for a careful review of this application. Claims 9-17 and 22-33 have been rejected. Claims 9, 22, and 30 have been amended to include the scope of previously examined independent Claims 12, 26, and 32. Claims 12, 26, and 32 have been canceled. Claims 9-11, 13-17, 22-25, 27-31, and 33 are pending. It is respectfully submitted that the pending claims define allowable subject matter. Applicants respectfully request reconsideration of the application in view of the following remarks.

#### **Discussion of Rejection of Claim 9 under 35 U.S.C. § 112**

In Section 2 of the Office Action, the Examiner rejected Claim 9 under 35 U.S.C. § 112, second paragraph, as being incomplete for omitting essential structural cooperative relationships of elements. The Examiner stating that the omitted structural cooperative relationships are between the ranker filter, the renderer, and the user action proxy.

On April 17, 2007, during an interview with the Examiner, Applicants asked for further clarification regarding the Examiner's assertion that structural cooperative relationships between the ranker filter, the renderer, and the user action proxy are omitted. The Examiner clarified that the omitted relationship exists between the user action proxy and the renderer. In response to the Examiner's further clarification, Applicants explained that the cooperative relationship between the user action proxy and the renderer is by way of the user information system. In particular, Applicants pointed out to the Examiner that, as recited in Claim 9, the user action proxy stores user action information in a user information system. The ranker filter module predicts a set of services based on information stored in the user information system, and the renderer generates a display of the set of services predicted by the ranker filter module. The Examiner confirmed the explanation provided by Applicants

and Applicants agreed to provide a written record of their explanation herein. Applicants have also amended Claim 9 to further clarify the cooperative relationship between the user action proxy and the renderer explained above.

In view of the foregoing comments, Applicants respectfully submit that the claim overcomes the Examiner's rejection under 35 U.S.C. § 112.

**Discussion of Rejection of Claims 9-16, 17, 22-29, and 30-33 under 35 U.S.C. § 103(a)**

In Section 5 of the Office Action, the Examiner rejected Claims 9-13, 16, 17, 22-27, and 30-32 under 35 U.S.C. § 103(a) as being unpatentable over U.S. Pub. No. 2004/0075675 to Raivisto et al. in view of U.S. Pat. No. 6,249,815 to Foladare et al., and further in view of U.S. Pub. No. 2003/0187984 to Banavar et al.

In Section 6 of the Office Action, the Examiner rejected Claims 14-15, 28-29, and 33 under 35 U.S.C. § 103(a) as being unpatentable over U.S. Pub. No. 2004/0075675 to Raivisto et al. in view of U.S. Pat. No. 6,249,815 to Foladare et al., and U.S. Pub. No. 2003/0187984 to Banavar et al., as applied to Claim 1, 22, and 30, and further in view of U.S. Pub. No. 2002/0133545 to Fano et al.

The Examiner's rejection is respectfully traversed. Raivisto et al., Foladare et al., Banavar et al., and Fano et al. do not teach or suggest alone or in combination, displaying services in primary, secondary, and tertiary positions on a mobile display device, where the primary positions are most predominate in the mobile device display and the tertiary positions are least predominant in the mobile device display, as recited in amended independent Claims 9, 22, and 30.

In the Examiner's rejection of dependent Claims 12, 26, and 32 (now respectively written in independent form in Claims 9, 22, and 30), the Examiner cites to page 4, paragraph 42 of Ravisto et al. to support an assertion that Ravisto et al. disclose displaying services in primary, secondary, and tertiary positions on a mobile display device. See Office Action, mailed January 18, 2007, at page 6 ("the service panel may comprise any user interface"). However, pages 4-5, paragraph 42 of Ravisto et al. state in whole:

"It should be noted that although front panel display 204 and service panel 312 are described in the context of *an icon-based graphical user interface (GUI)*, *any user interface may be implemented in accordance with the present invention. For example, the user interface that may range from simple textual displays to large color displays.* Selection of the data items on the front panel display 204 and service panel 312 may be effected using a pointing device, such as a mouse pointer, joystick, trackball or other scrolling selector or cursor manipulating mechanism. The *user interface may also include a touch screen interface* where a stylus or the person's finger may be used to select items. Alternatively, *user interfaces other than visual interfaces may be employed, such a voice commands.* The present invention is applicable with any known or future mobile terminal user interface mechanism" (emphasis added).

"All words in a claim must be considered in judging the patentability of that claim against the prior art." *In re Wilson* 165 USPQ 494, 496 (CCPA 1970); see also MPEP § 2143.03. Applicants respectfully note that the citation provided by the Examiner in the rejection of dependent Claims 12, 26, and 32 does not explicitly or implicitly teach or suggest displaying services in primary, secondary, and tertiary positions on a mobile device display, as the Examiner asserts. In fact, nowhere do Ravisto et al. teach or suggest displaying services in primary, secondary, and tertiary positions. Rather, Ravisto et al. merely disclose user interfaces including an icon-based graphical user interface (GUI), a simple textual display, a large color display, a touch screen interface, and a voice command interface.

Foladare et al., Banavar et al., and Fano et al. also do not teach or suggest alone or in combination displaying services in primary, secondary, and tertiary positions, as recited in

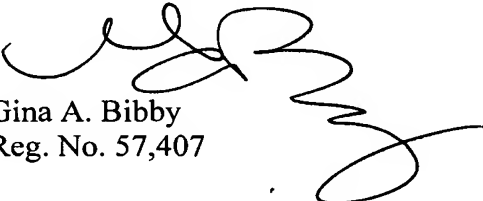
amended Claims 9, 22, and 30. Rather, Foladare et al. teach notifying a subscriber that subscriber service data has been altered (see Col. 7:9-12); notifying a subscriber that a service set up has been altered (see Col. 8:56-60); querying a subscriber with prompts to confirm or reject alterations to service data (see Col. 10:14-16); outputting a message to help the subscriber understand the need for altering subscriber service data (see Col. 10:64-66); and notifying a subscriber that the approved alterations have been implemented (see Col. 11:12-14). Banavar et al. teach “user agent” software through which a user interacts with a system (see page 3, paragraph 41); and a “user agent,” such as a Web browser, is typically employed to facilitate the interaction between a replica store and a user (see page 4, paragraph 57). Likewise, Fano et al. teach a location based user interface that initiates a location-based service based upon the location of the user. See Fano et al. at page 2, paragraph 23; page 10, paragraphs 94-96.

Accordingly, for at least the reasons stated above, Applicants submit that independent Claims 9, 22, and 30, and Claims 10-11, 13-17, 23-25, 27-29, 31, and 33, which respectively depend therefrom, are patentable under 35 U.S.C. § 103(a) over Raivisto et al. in view of Foladare et al., in view of Banavar et al., and further in view of Fano et al. Applicants therefore respectfully request reconsideration, and withdrawal of the § 103 rejections.

**Conclusion**

In view of the foregoing, Applicants respectfully submit that all the pending Claims 9-11, 13-17, 22-25, 27-31, and 33 are in condition for allowance. Accordingly, a Notice of Allowance is respectfully requested. If the Examiner has any questions concerning the present amendment, the Examiner is requested to contact the undersigned at (408) 749-6920. If any additional fees are due in connection with filing this amendment, the Commissioner is also authorized to charge Deposit Account No. 50-0805 (Order No. SUNMP324). A duplicate copy of the transmittal is enclosed for this purpose.

Respectfully submitted,  
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